

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

YVES FLORESTAL,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 07-128-JJF
)	
GOLDEN HARRINGTON, LLC)	
a Delaware limited liability company, and)	
TWENTY-NINE CORP., a)	
Maryland corporation,)	
)	
Defendants.)	

STIPULATION AND ORDER

The parties, by and through the undersigned counsel, hereby stipulate and agree as follows:

1. Plaintiff filed his Complaint on March 7, 2004. Defendants' filed a Motion to Dismiss Count III of the Complaint on April 2, 2007 arguing that the claim filed under the covenant of good faith and fair dealing must be dismissed because the General Assembly expressed its intent that the amendment to the Delaware Discrimination Statute preempted the field and that common law claims may no longer be brought in employment discrimination lawsuits.
2. Plaintiff hereby stipulates that Defendants' Motion to Dismiss Count III of the Complaint should be granted. By so stipulating, Plaintiff is not thereby conceding that any of his substantive claims are invalid, and Plaintiff continues to maintain that he has suffered discrimination by Defendants on the basis of his race, sex, and national origin, as set forth in the Complaint.

3. The parties agree that Defendants shall file their Answer to the Complaint on or before April 13, 2007.

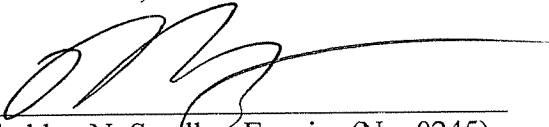
4. The parties hereby stipulate that, with respect only to Defendants' Motion to Dismiss Count III of the Complaint, each party shall bear its own attorneys' fees and costs.

SCHMITTINGER & RODRIGUEZ, P.A.

/s/Noel E. Primos

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SO ORDERED this _____ day of _____, 2007.

The Honorable Joseph J. Farnan